

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

United States Patent Application No. 10/565,915
National Stage Application of PCT/US04/23941

Title: Vibrating Tube Mass Flow Meter

Inventor: PHAM, Nghieu Q.

Int'l Filing Date: 26 July 2004

U.S. Filing Date: 24 January 2006

Group Art Unit: Unassigned

Examiner: Unassigned

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REPLY TO NOTIFICATION OF INSUFFICIENT FEES

Applicant hereby responds to the Notification of Insufficient Fees dated March 22, 2007 (“Notification”).

With Applicant’s transmittal letter mailed on January 6, 2006, Applicant paid \$750 in fees, including a basic national fee of \$300. The Notification requires Applicant to pay an additional search fee of \$100 and an additional examination fee of \$200. Applicant respectfully submits, however, that it correctly calculated and paid all appropriate fees. The additional fees required by the Notification are not due because the International Preliminary Report on Patentability, dated 24 October 2005, states that the criteria of novelty, inventive step and industrial applicability have been satisfied for all of the claims presented in the application.

Pursuant to 37 C.F.R. § 1.492(b) and (c), respectively, no search fee or examination fee is due “[i]f an international preliminary examination report on the international application prepared by the United States International Preliminary Examining Authority . . . states that the criteria of novelty, inventive step (non-obviousness), and industrial applicability . . . have been satisfied for all of the claims presented in the application entering the national stage.” Applicant attaches a copy of the international preliminary examination report showing in Box No. V that Applicant’s claims satisfy these criteria. Applicant therefore submits that no additional search

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fee or examination fee are due.

In view of the foregoing, Applicant respectfully requests that the Notification be withdrawn and prosecution of this application be allowed to proceed.

For the foregoing reasons, Applicant believes there should be no fee for filing this Reply. If this Reply is deemed improper without payment of the fees set forth in the Notification, however, the Commissioner is hereby authorized to charge any fee required to Deposit Account No. 503289.

Dated: May 11, 2007

Respectfully submitted,



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